

Application No. 10/006,874
Reply to Office Action of June 19, 2006

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REMARKS

Claims 1-27, 29-34, 36-54, 57-59, 63-68, 70-98, 110-113, and 118-121 are pending in the present application. The Examiner has indicated that prosecution on the merits is closed in accordance with practice under *Ex parte Quayle* as the application would be in condition for allowance if claims 33, 113, and 121 were amended to correct formal matters. The Examiner has thus indicated that claims 1-27, 29-34, 36-54, 57-59, 63-68, 70-98, 110-113, and 118-121 contain allowable subject matter. Claims 70-98 have been withdrawn from consideration. Claims 33, 34, 113, and 121 have been amended to correct formal matters. Accordingly, no new matter has been added to the application by the foregoing amendments.

Entry of Rule 116 Response

After the foregoing Amendment, claims 1-27, 29-34, 36-54, 57-59, 63-68, 70-98, 110-113, and 118-121 are pending in this application. **Applicants respectfully request that the Amendment After Final be entered in accordance with 37 CFR §1.116 and MPEP 714.13** since: (1) no new matter has been added to the application by the Amendment; (2) the Amendment resolves all issues raised by the Examiner in the *Ex parte Quayle* action; (3) the subject matter of the Amendment already has been included in the Examiner's search and therefore does not require the Examiner to perform further searching; (4) the Amendment places the application in condition for allowance or in better form for appeal; and (5) the Amendment does not result in a net addition of claims to the application.

Formal Matters

The Examiner noted that in claim 33 "it is not clear to what 'it' being referenced." Claim 33 has been amended to read "...within a time period needed to trick play through the remaining portion of the recorded advertisement," in order to clarify claim 33. Applicants submit that this amendment is supported by the previous version of claim 33 and that such amendment does not change the scope of independent claim 33. Claims 33 and 34 have also been amended to correct formal matters noted by Applicants.

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The Examiner noted that in claims 113 and 121 there is no antecedent basis for "the processing rules." Claims 113 and 121 have been amended to depend on claims 112 and 120, respectively, therefore correcting the lack of an antecedent basis.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the Examiner's objection has been overcome, and that the application, including claims 1-27, 29-34, 36-54, 57-59, 63-68, 110-113, and 118-121, is in condition for allowance. Reconsideration and withdrawal of the Examiner's objection and a Notice of Allowance is respectfully requested.

Respectfully submitted,

Date: 8/30/06

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